

Walter O'Cheskey  
Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

DANIEL COLE CANTRELL  
RAYNEE AMBER CANTRELL

CASE NO: 10-70010-HDH-13  
HEARING DATE: 10/20/2010  
HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2009-03 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
008 0 U	A1 COLLECTION AGENCY	\$1,123.00	009 0 U	ADVANCE NETWORK SYSTEM	\$656.00
010 0 U	AGENCY OF CR CONTROL	\$27.00	012 0 U	ALLIED INTERSTATE	\$622.31
016 0 U	CDI AFFILIATED SERVICE	\$25.00	018 0 U	DURANGO CREDIT AND COLLECTIONS	\$56.00
023 0 U	KTX EMERGENCY PHYSICIANS	\$732.00	024 0 U	KELL WEST REGIONAL HOSPITAL	\$600.00
027 0 U	SAN JUAN REGIONAL MEDICAL CENTER	\$584.68	030 0 U	TXU ENERGY	\$73.00
033 0 U	DURANGO CREDIT AND COLLECTIONS	\$2,535.00	034 0 U	DURANGO CREDIT AND COLLECTIONS	\$241.00
035 0 U	DURANGO CREDIT AND COLLECTIONS	\$703.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
011 0	ALLIED HOME MORTGAGE CORPORATION	HOMESTEAD	\$75,275.19	\$75,275.19			PD DIRECT BY DEBTOR
013 0	ANIMAS CREDIT UNION	2003 ESCALADE	\$0.00	\$24,000.00			PD DIRECT BY DEBTOR
015 0	CAPITAL ONE AUTO FINANCE	2005 GMC CANYON	\$18,222.43	\$18,222.43	7.00%	60	\$422.38 PAID BY TRUSTEE
	Extended term from 54 to 60 months. See modification below.						
017 0	IOWA PARK ISD	2010 PROPERTY TAXES	\$1,067.00	\$1,384.78			PD DIRECT BY DEBTOR
022 0 *	HSBC BANK NEVADA NA	MERCHANDISE / YAMAHA	\$6,162.24	\$3,595.00	8.00%	60	\$88.15 PAID BY TRUSTEE
	Debt provided unsecured, claim filed secured. See modification below.						
032 0	ANIMAS CREDIT UNION	CROSS COLLATERAL 03 ESCALADE	\$0.00	\$3,821.00			PD DIRECT BY DEBTOR

Not provided for in confirmed plan. See modification below.

### **UNSECURED GENERAL CREDITORS**

<b>Trustee Clm#</b>	<b>Creditor Name</b>	<b>Claim Amount</b>
014 0 U	BECKET & LEE LLP <i>PURCHASES/BANK OF AMERICA</i>	\$8,588.05
021 0 U	GE CONSUMER FINANCE <i>PURCHASES</i>	\$1,117.97
025 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/LOWES GEMB</i>	\$1,279.62
029 0 U	AMERICAN INFOSOURCE LP AS AGENT FOR <i>PURCHASES/MAURICES</i>	\$827.55
043 0 U *	PRA RECEIVABLES MANAGEMENT <i>SERVICES/SW BELL TELEPHONE</i> <i>Not provided for in confirmed plan.</i>	\$587.79

<b>Trustee Clm#</b>	<b>Creditor Name</b>	<b>Claim Amount</b>
020 0 U	PREMIER BANKCARD /CHARTER <i>PURCHASES</i>	\$401.83
022 1 U	HSBC BANK NEVADA NA <i>SPLIT CLAIM / MERCHANDISE / YAMAHA</i>	\$2,567.24
026 0 U	NELNET <i>STUDENT LOAN</i>	\$23,074.36
036 0 U	PREMIER BANKCARD /CHARTER <i>PURCHASES</i>	\$283.98

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

### **IV.**

### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2009-03 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All creditors shall be treated over a 60 month plan term.

The secured claim filed by Wichita County for \$319 shall be valued at \$66,332 and paid direct.

The secured claim filed by HSBC Bank for \$6,162.24 shall be valued at \$3,595 and paid through the plan at 8% interest over 60 months with a payment of \$88.15 per month.

Debtors plan term shall be extended from 54 to 60 months. Debtor shall pay \$477 per month beginning February 2010 for 9 months; then Debtor shall pay \$568 per month beginning November 2010 for the remaining 51 months for a total plan base amount of \$33,261.00.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 10/20/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2009-03 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 8/18/2010

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

A1 COLLECTION AGENCY 715 HORIZON DRIVE GRAND JUNCTION CO 81506  
ADVANCE NETWORK SYSTEM 215 PITKIN GRAND JUNCTION CO 81501  
AGENCY OF CR CONTROL 2014 S PONTIAC WAY DENVER CO 80224  
ALLIED HOME MORTGAGE CAPITAL CORP PO BOX 660592 DALLAS TX 75266  
ALLIED HOME MORTGAGE CORPORATION 1 CORPORATE CENTER DRIVE SUITE 360 LAKE ZURICH IL 60047  
ALLIED INTERSTATE PO BOX 1954 SOUTHGAGE MI 48195  
AMERICAN INFOSOURCE LP AS AGENT FOR WORLD FINANCIAL NETWORK NATIONAL BK PO BOX 248872 OKLAHOMA CITY OK 73124  
ANIMAS CREDIT UNION 850 MUNICIPAL DRIV FARMINGTON NM 87401  
ASCENTION CAPITAL GROUP INC 3905 N DALLAS PARKWAY PLANO TX 75093  
BANK OF AMERICA PO BOX 17054 WILMINGTON DE 19850  
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355  
CAPITAL ONE AUTO FINANCE 3901 N DALLAS PKWY PLANO TX 75093  
CAPITAL ONE AUTO FINANCE C/O ASCENSION CAPITAL GROUP PO BOX 201347 ARLINGTON TX 76006  
CDI AFFILIATED SERVICE 1451 HARTMAN ST BOISE ID 83704  
CITY OF IOWA PARK/IOWA PARK ISD/WC C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
DANIEL COLE CANTRELL & RAYNEE AMBER CANTRELL 708 S PARK AVE IOWA PARK TX 76367  
DURANGO CREDIT AND COLLECTIONS 3050 MAIN AVENUE DURANGO CO 81301  
EASY RENT 1717 9TH ST WICHITA FALLS TX 76301  
FIRST PREMIER BANK 601 S MINNESOTA AVE SIOUX FALLS SD 57104  
GE CONSUMER FINANCE FOR GE MONEY BANK DBA DISCOUNT TIRE PO BOX 960061 ORLANDO FL 32896  
GEMB HH GREGG ATTENTION BANKRUPTCY PO BOX 103106 ROSWELL GA 30076  
HSBC ATTN BANKRUPTCY DEPARTMENT PO BOX 5213 CAROL STREAM IL 60197  
HSBC BANK NEVADA NA BASS & ASSOCIATES PC 3936 FT LOWELL SUITE 200 TUCSON AZ 85712  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
IOWA PARK ISD PO BOX 428 IOWA PARK TX 76367  
KELL WEST REGIONAL HOSPITAL 5420 KELL WEST BLVD WICHITA FALLS TX 76310  
KTX EMERGENCY PHYSICIANS PO BOX 98596 LAS VEGAS NV 89193  
LOWES MBGA ATTENTION BANKRUPTCY DEPARTMENT PO BOX 103106 ROSWELL GA 30076  
MCCARTHY HOLTHUS & ACKERMAN LLP 1255 W 15TH ST SUITE 1060 PLANO TX 75075  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
NELNET ATTN CLAIMS PO BOX 17460 DENVER CO 80217  
NELNET COLLEGE ACCESS NETWORK 1560 BROADWAY SUITE 1700 DENVER CO 80202  
NELNET COLLEGE ACCESS NETWORK 3015 SOUTH PARKER ROAD SUITE 400 AURORA CO 80014  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
PREMIER BANKCARD /CHARTER PO BOX 2208 VACAVILLE CA 95696  
SAN JUAN REGIONAL MEDICAL CENTER 801 WEST MAPLE STREET FARMINGTON NM 87401  
TXU ENERGY 200 W JOHN CARPENTER FWY IRVING TX 75039  
TXU ENERGY RETAIL COMPANY C/O BANKRUPTCY DEPARTMENT PO BOX 650393 DALLAS TX 75265  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WFNNB PO BOX 182273 COLUMBUS OH 43218  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242